

# Exhibit A

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SECURITIES & EXCHANGE COMMISSION,

Plaintiff,

v.

GIBRALTAR GLOBAL SECURITIES, INC.,  
and WARREN A. DAVIS,

Defendants.

13 CV 2575 (GBD) (JCF)

**DEFENDANTS' REQUIRED INITIAL DISCLOSURES  
PURSUANT TO FED. R. CIV. P. 26(a)(1)**

Defendants Gibraltar Global Securities, Inc. (“Gibraltar”) and Warren A. Davis submit the following initial disclosures prior to discovery pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure. These disclosures are based on the information reasonably available to the defendants at this time. Defendants reserve the right to amend or supplement this list as necessary and to introduce additional factual evidence or legal theories prior to trial.

**Introduction**

Gibraltar is a Bahamian broker-dealer registered with The Bahamas Securities Commission (“BSC”). Mr. Davis, a Bahamian citizen, is Gibraltar’s sole owner. Gibraltar ceased operations on January 31, 2013. Gibraltar’s directors have passed a resolution to place Gibraltar into voluntary liquidation, appoint a Liquidator and submit a dissolution plan to the BSC. On April 4, 2013, Gibraltar submitted a dissolution plan to the BSC and is awaiting approval. Gibraltar is currently under the control of the Liquidator.

Gibraltar has retained Bahamian counsel to provide advice as to its obligations under Bahamian law. As a Bahamian broker-dealer, Gibraltar is subject to The Banks and Trust Companies Regulation Act (2000) (“BTCRA”). Section 19 of the BTCRA prohibits broker-dealers and their officers, employees, or agents from disclosing the identities, assets, liabilities, transactions or accounts of any customer. Any broker-dealer or person who reveals such information about a customer is subject to both civil and criminal liability under the BTCRA.

As the Securities and Exchange Commission is already aware, Bahamian law includes procedures for making “inter-regulator requests” whereby foreign regulators can submit requests for information from broker-dealers to the BSC. For example, we understand that as part of the SEC’s investigation in this matter, it submitted a request to the BSC for certain documents from Gibraltar and Mr. Davis. The BSC acceded to the request and conveyed it to Gibraltar and Mr. Davis, who thereafter complied with the request. We understand from Bahamian counsel that the SEC can make additional inter-regulator requests to the BSC for documents and information pertaining to Gibraltar’s customers. Once the BSC accedes to any such request and conveys it to Gibraltar and Mr. Davis, they may thereafter comply with the request without subjecting themselves to liability under the BTCRA.

On behalf of Gibraltar and Mr. Davis, while we reserve all rights, we again plan to cooperate fully in producing any materials called for in a valid request acceded to by the BSC and conveyed to Gibraltar. We reiterate, however, that absent compliance with this procedure, both Gibraltar and Mr. Davis may be held liable for disclosing any information relating to Gibraltar’s customers. We further understand that the confidentiality requirements of the BTCRA are applicable even when other entities have already disclosed the identity of Gibraltar’s clients or information with respect to those clients. Accordingly, we list below information that

Gibraltar and Mr. Davis are currently permitted to provide under Bahamian law, without acknowledging any information that may pertain to Gibraltar customers. We will supplement such information as permitted pursuant to Bahamian law.

**1. Name, Contact and Subject of Individuals and Entities**

Name	Contact Information	Subject of Information
Action Stock Transfer Corporation	2469 E. Fort Union Blvd., Suite 214 Salt Lake City, UT 84121 (801) 274-1088	Stock transfer agent
Alpine Securities	Counsel: Gerald J. Russello Sidley Austin LLP 787 Seventh Avenue New York, NY 10019 (212) 839-5716	Broker-dealer
Apex Clearing Corporation	1700 Pacific Ave., Suite 1400 Dallas, TX 75201	Broker-dealers
Penson Financial Services, Inc.	1700 Pacific Ave., Suite 1400 Dallas, TX 75201	
E*Trade Financial	135 E. 57 <sup>th</sup> St. New York, NY 10022	Broker-dealer
Edward Jones	12555 Manchester Road St. Louis, MO 63131	Broker-dealer
Fidelity Investments	155 Seaport Blvd. Boston, MA 02210	Broker-dealer
Glusic, Joseph J.	Counsel: Haynes and Boone LLP 30 Rockefeller Plaza, 26 <sup>th</sup> Floor New York, NY 10112 (212) 659-7300	MDOR CEO and President
Holladay Stock Transfer, Inc.	2939 N. 67 <sup>th</sup> Place Scottsdale, AZ 85251 (480) 481-3940	Stock transfer agent
Magnum d'Or Resources, Inc.	Counsel: Stephen A. Zrenda, Jr., Esq. Stephen A. Zrenda, Jr., P.C. 6303 N. Portland Ave., Suite 300 Oklahoma City, OK 73112 (405) 721-7300	Stock Issuer

Oppenheimer & Co., Inc.  Wesschler, Jeffrey (Registered Rep.) Golding, Blake (Registered Rep.)	Counsel: Ellen Sheridan-Cona, Esq. 125 Broad St. New York, NY 10004	Broker-dealer
Pershing LLC	1 Pershing Plaza Jersey City, NJ 07399 (201) 413-2000	Broker-dealer
Ridge Clearing & Outsourcing Solutions, Inc.	2 Journal Square Plaza Jersey City, NJ 07306	Broker-dealer
Scottsdale Capital Advisors  Hurry, John (Owner) Padilla, Joseph (Registered Rep.)	7170 E. McDonald Rd. Suite 6 Scottsdale, AZ 85253	Broker-dealer
Stock USA Investments	1717 Route 6 Carmel, NY 10512	Broker-dealer
TD Ameritrade	4211 South 102 <sup>nd</sup> Street Omaha, NE 68127	Broker-dealer
Wilson-Davis & Company	236 South Main St. Salt Lake City, UT 84101 (801) 532-1313	Broker-dealer

## **2. Description of Documents**

Gibraltar has retained documents reflecting the content of its website, [www.ggsbahamas.com](http://www.ggsbahamas.com), and will produce these documents to the SEC within two weeks of the date of these initial disclosures.

Gibraltar has retained on its server and in hard copy form documents pertaining to its approximately 1,200 customers and over 100,000 transactions as required by Bahamian law. These materials are being preserved. Gibraltar also maintains an email server containing emails dating to approximately 2009. These materials are also being preserved. As set forth above in

the Introduction, however, Bahamian law proscribes disclosure of materials relating to Gibraltar customers absent compliance with procedures under Bahamian law.

Gibraltar has presented a liquidation plan to the BSC. We are advised by Bahamian counsel, however, that the liquidation plan is confidential.

**3. Damages**

Defendants are not seeking any damages.

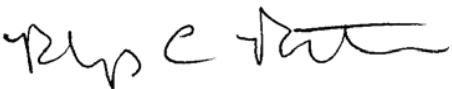
**4. Insurance Agreements**

Defendants are not aware of any relevant insurance policies.

Respectfully Submitted,

**DE FEIS O'CONNELL & ROSE, P.C.**  
500 Fifth Avenue, 26th Floor  
New York, NY 10110  
(212) 768-1000

By:

  
Philip C. Patterson (PP-9995)

*Attorneys for Defendants*